

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

SST FOUNDATION,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

CREDIT SUISSE, SUISSE AMERICAN
SECURITIES, INC. and NEW YORK STATE
DEPARTMENT OF TAXATION,

07 CIV 4758
JUDGE SCHEINDLIN

TO: (Name and address of defendant)

Credit Suisse
11 Madison Avenue
New York, New York 10010

Suisse American Securities, Inc.
12 East 49th Street
New York, New York 10017

New York State
Dep. of Taxation
Building 9, W.A.
Harriman Campus
Albany NY 12227

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Elliot L. Schaeffer
Schaeffer & Krongold, LLP
450 Seventh Avenue
Suite 1400
New York, New York 10123

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero

(BY) DEPUTY CLERK

JUN 05 2007

DATE

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE

DATE

Service of the Summons and Complaint was made by me¹

NAME OF SERVER (PRINT)

TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date_____
Signature of Server_____
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 14, 2007 at 02:10 PM at

BY CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY12207

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on CREDIT SUISSE SECURITIES (USA) LLC S/H/A CREDIT SUISSE, the defendant/respondent therein named,


CORPORATION by delivering thereat a true copy of each to MS. NIKKI CHAPPEL personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & CIVIL CASE SHEET as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx)</u> |
|---------------|-------------------|-------------------|----------------------|-------------------------|------------------------|
| <u>FEMALE</u> | <u>BROWN</u> | <u>BLACK</u> | <u>40</u> | <u>5'6</u> | <u>160</u> |

Sworn to me on: June 18, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483511

SST FOUNDATION

Plaintiff(s)

Index #: 07 CV 4758

- against -

Date Filed:

CREDIT SUISSE ET AL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 14, 2007 at 02:10 PM at

BY CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY12207

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on CREDIT SUISSE SECURITIES (USA) LLC S/H/A CREDIT SUISSE, the defendant/respondent therein named,


CORPORATION by delivering thereat a true copy of each to MS. NIKKI CHAPPEL personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & CIVIL CASE SHEET as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx.)</u> |
|---------------|-------------------|-------------------|----------------------|-------------------------|-------------------------|
| <u>FEMALE</u> | <u>BROWN</u> | <u>BLACK</u> | <u>40</u> | <u>5'6</u> | <u>160</u> |

Sworn to me on: June 18, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483511

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 15, 2007 at 09:15 AM at

THE OFFICE OF THE SECRETARY OF STATE
41 STATE STREET
ALBANY, NY12231

deponent served the within two true copies of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on CREDIT SUISSE SECURITIES (USA) LLC S/H/A CREDIT SUISSE, the defendant/respondent therein named,

SECRETARY OF STATE by delivering two true copies to MS. CAROL VOGT personally, an agent in the office of the Secretary of State of the State of New York and knew said individual to be AUTHORIZED to accept thereof.

Service upon the N.Y.S. Secretary of State under SECTION 303 LIMITED LIABILITY COMPANY LAW and tendering the required fee of \$40.00.


Deponent further states that he describes the person actually served as follows:

| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx)</u> |
|---------------|-------------------|-------------------|----------------------|-------------------------|------------------------|
| <u>FEMALE</u> | <u>WHITE</u> | <u>BLACK</u> | <u>50</u> | <u>5'3</u> | <u>135</u> |

WEARS GLASSES

Sworn to me on: June 18, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483685

SST FOUNDATION

Plaintiff(s)

- against -

CREDIT SUISSE ET AL

Defendant(s)

Index #: 07 CV 4758

Date Filed:

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 15, 2007 at 09:15 AM at

THE OFFICE OF THE SECRETARY OF STATE
41 STATE STREET
ALBANY, NY12231

deponent served the within two true copies of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on CREDIT SUISSE SECURITIES (USA) LLC S/H/A CREDIT SUISSE, the defendant/respondent therein named,

SECRETARY OF STATE by delivering two true copies to MS. CAROL VOGT personally, an agent in the office of the Secretary of State of the State of New York and knew said individual to be AUTHORIZED to accept thereof.

Service upon the N.Y.S. Secretary of State under SECTION 303 LIMITED LIABILITY COMPANY LAW and tendering the required fee of \$40.00.


Deponent further states that he describes the person actually served as follows:

| Sex | Skin Color | Hair Color | Age (Approx.) | Height (Approx.) | Weight (Approx.) |
|--------|------------|------------|---------------|------------------|------------------|
| FEMALE | WHITE | BLACK | 50 | 5'3 | 135 |

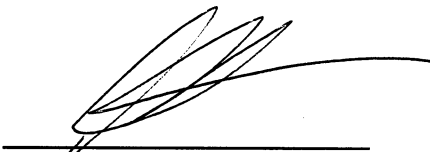
WEARS GLASSES

Sworn to me on: June 18, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483685

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 11, 2007 at 01:25 PM at

BUILDING 9 W.A.
HARRIMAN CAMPUS
ALBANY, NY 12227

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on NEW YORK STATE DEPT OF TAXATION, the defendant/respondent therein named.


BY LEAVING A TRUE COPY WITH MR. CHRIS MESERVEY, LEGAL CLERK , BEING AUTHORIZED TO ACCEPT LEGAL PAPERS STATED.

Deponent further states that he describes the person actually served as follows:


| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx)</u> |
|---------------|-------------------|-------------------|----------------------|-------------------------|------------------------|
| <u>FEMALE</u> | <u>WHITE</u> | <u>BLACK</u> | <u>35</u> | <u>5'3</u> | <u>140</u> |

Sworn to me on: June 12, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483513

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 11, 2007 at 01:25 PM at

BUILDING 9 W.A.
HARRIMAN CAMPUS
ALBANY, NY 12227

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on NEW YORK STATE DEPT OF TAXATION, the defendant/respondent therein named.


BY LEAVING A TRUE COPY WITH MR. CHRIS MESERVEY, LEGAL CLERK , BEING AUTHORIZED TO ACCEPT LEGAL PAPERS STATED.

Deponent further states that he describes the person actually served as follows:

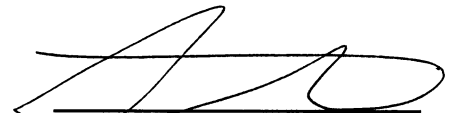
| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx)</u> |
|---------------|-------------------|-------------------|----------------------|-------------------------|------------------------|
| <u>FEMALE</u> | <u>WHITE</u> | <u>BLACK</u> | <u>35</u> | <u>5'3</u> | <u>140</u> |

Sworn to me on: June 12, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


STEVEN C. AVERY

Docket #: 483513

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 11, 2007 at 02:10 PM at

12 EAST 49TH STREET, 38TH FLOOR
NEW YORK, NY10017

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on SUISSE AMERICAN SECURITIES, INC., the defendant/respondent therein named,

CORPORATION by delivering thereat a true copy of each to MR. ADAM REZAK personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & CIVIL CASE SHEET as said defendant/respondent and knew said individual to be the VICE PRESIDENT thereof.

Deponent further states that he describes the person actually served as follows:

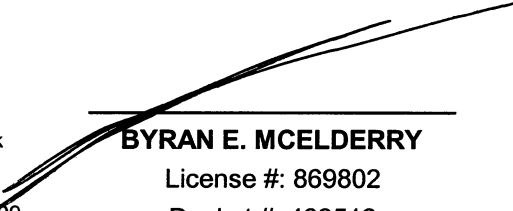
| Sex | Skin Color | Hair Color | Age (Approx.) | Height (Approx.) | Weight (Approx.) |
|------|------------|------------|---------------|------------------|------------------|
| MALE | WHITE | BROWN | 46 | 6'2 | 180 |

Sworn to me on: June 12, 2007


Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010

Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


BYRAN E. MCELDERRY
License #: 869802
Docket #: 483512

SST FOUNDATION

Index #: 07 CV 4758

Plaintiff(s)

- against -

Date Filed:

CREDIT SUISSE ET AL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 11, 2007 at 02:10 PM at

12 EAST 49TH STREET, 38TH FLOOR
NEW YORK, NY10017

deponent served the within true copy of the SUMMONS & COMPLAINT & CIVIL CASE SHEET on SUISSE AMERICAN SECURITIES, INC., the defendant/respondent therein named,

CORPORATION by delivering thereat a true copy of each to MR. ADAM REZAK personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & CIVIL CASE SHEET as said defendant/respondent and knew said individual to be the VICE PRESIDENT thereof.

Deponent further states that he describes the person actually served as follows:

| <u>Sex</u> | <u>Skin Color</u> | <u>Hair Color</u> | <u>Age (Approx.)</u> | <u>Height (Approx.)</u> | <u>Weight (Approx)</u> |
|-------------|-------------------|-------------------|----------------------|-------------------------|------------------------|
| <u>MALE</u> | <u>WHITE</u> | <u>BROWN</u> | <u>46</u> | <u>6'2</u> | <u>180</u> |

Sworn to me on: June 12, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010

Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009

BYRAN E. MCELDERRY

License #: 869802

Docket #: 483512